

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No.	:	10/714,060	Confirmation No.:	3195
Applicant	:	COHN, William E.		
Filed	:	November 14, 2003		
TC/A.U.	:	3734		
Examiner	:	TRUONG, Kevin Thao		
Docket No.	:	P2016CON2		
Customer No.	:	28390		
Title	:	CATHETER APPARATUS AND METHODOLOGY FOR GENERATING A FISTULA ON-DEMAND BETWEEN CLOSELY ASSOCIATED BLOOD AT A PRE-CHOSEN ANATOMIC SITE IN- VIVO		

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Medtronic Vascular, Inc., the 100% owner of the above-captioned United States Patent Application Serial No. 10/714,060 hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U. S. C. '154 to '156 and '173, as presently shortened by any terminal disclaimer, of prior United States Patent No. 5,830,224 (Cohn, et.al.).

Medtronic Vascular, Inc. hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and United States Patent No. 5,830,224 (Cohn, et.al.) are commonly owned. This agreement runs with any

patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 15410 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The Commissioner is hereby authorized to charge the large entity fee due in connection with the filing of this Terminal Disclaimer to Deposit Account No. 01-2525.

Respectfully submitted,

/William L. Haynes, Reg. No. 48,151/

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